

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN ADAMS,
Plaintiff,

No. 2:04-cv-2474-MCE-GGH-P

v.

ORDER

TERESA SCHWARTZ, et al.,
Defendants.

On February 2, 2007, the Magistrate Judge issued an order striking plaintiff's amended complaint, filed on February 28, 2006¹; a duplicative summary judgment motion, filed on April 21, 2006; and disregarding/vacating his motion for summary judgment, filed on April 12, 2006, as defective. Plaintiff has filed what the court construes as a request for reconsideration of that order with regard to his summary judgment motion having been disregarded/vacated as defective. Pursuant to E.D. Local Rule 72-303(f), a magistrate judge's orders shall be upheld unless "clearly erroneous or contrary to law." Upon review of the entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly erroneous or contrary to law.


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¹ The stricken amended complaint was duplicative of the amended complaint, filed on March 2, 2006, on which this matter proceeds, the only difference being that one page of exhibits was omitted from the stricken version.

1 Therefore, IT IS HEREBY ORDERED that, upon reconsideration, the order of the
2 magistrate judge, filed February 2, 2007, is affirmed.

3 Dated: February 28, 2007

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5 MORRISON C. ENGLAND, JR.
6 UNITED STATES DISTRICT JUDGE
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